IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 27365 of 2003

Between:

P. Pavan Kumar, S/o. P. Rajaiah,
E.No.79770, R/o. Hyderabad.

..... PETITIONER

AND

1 Central Bank Of India,
Central Office, Chander Mukhi, Nariman Point, Mumbai-400 021 Rep. by its General Manager (PRS),.
2 The Disciplinary Authority/Regional Manager, Central Bank of India, Hyderabad Regional Office, Bank Street, Koti, Hyderabad- 95.
3 The Senior Manager, Central Bank of India, R.P.Road, Secunderabad-3.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to call for the records from the 2nd respondent in proceedings No.HRO-PRS-2003-04/2171, and issue an appropriate writ, order or direction, particularly one in the nature of writ of Mandamus, declaring that the show cause memo issued by the 2nd respondent in proceedings No.HRO-PRS-2003-04/2171, dated 20-12-2003 as illegal, unjust, contrary to law, arbitrary, in violation of principles of natural justice, without jurisdiction and in violation of Articles 14,16 and 21 of the Constitution of India, and grant all consequential benefits.

Counsel for the Petitioner: MR.A.K.JAYAPRAKASH RAO

Counsel for the Respondents: MR.A.KRISHNAM RAJU

The Court made the following:

ORAL ORDER:

The petitioner questions the show cause memo dated 20-12-2003 issued by the 2nd respondent calling upon him to show cause as to why his services should not be terminated as per Section 10 of the Banking Regulations Act.

It is the case of the petitioner that he joined as a clerk in the respondents-bank in the year 1994. The reasons for issuing the show cause memo to the petitioner are that the petitioner by judgment dated 25-7-2003 in S.C. No.317 of 2002 on the file of III Additional Assistant Sessions Judge, Fast Tract Court, Ranga Reddy District, was convicted under Section 235(2) of Cr.P.C. for the offence under Section 306 IPC.

Aggrieved by the judgment dated 25-7-2003, the petitioner has preferred Crl.A.No.99 of 2003, along with an application before the Court of III Additional Sessions Judge, Fast Tract Court, Ranga Reddy District, to suspend the conviction order. Accordingly, the III Additional Sessions Judge suspended the conviction of the appellant-petitioner herein by order dated 28-1-2004 in Crl.M.P.No.9 of 2004. Pursuant to the said order dated 28-1-2004, the second respondent who is the disciplinary authority, issued an order under HRO/PRS/2003-04/2763 dated 05-03-2004 reinstating the petitioner with immediate effect.

Therefore, I am of the view that no further orders are necessary in this writ petition. It is made clear that the respondents are at liberty to take appropriate action depending upon the result of the Crl.A.No.99 of 2003 pending on the file of the III Additional Sessions Judge, Fast Tract Court, Ranga Reddy District.

Accordingly, the writ petition is disposed of. No order as to costs.

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V. ESWARAIAH,J

es/tsr

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The General Manager (PRS), Central Bank Of India,
Central Office, Chander Mukhi, Nariman Point, Mumbai-400 021.
2 The Disciplinary Authority/Regional Manager, Central Bank of India, Hyderabad Regional Office, Bank Street, Koti, Hyderabad- 95.
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